

# **EXHIBIT A**

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6 SUPERIOR COURT OF WASHINGTON

7 IN AND FOR THURSTON COUNTY

8 BROOKE MARTIN,

No. 20-2-01632-34

9 Plaintiff,

SUMMONS

10 v.

11 A PLUS SERVICES; MR. DO RIGHT  
12 CONSTRUCTION, LLC; ZENIN  
13 GERHING; DOES I-V; and ROES  
14 CORPORATIONS VI-X; inclusive;

Defendants.

15 THE STATE OF WASHINGTON to:

16 A Plus Services and/or Mr. Do Right Construction, LLC  
17 c/o Teresa Grimsley  
18 7225 Pacific Ave. SE  
Lacey, WA 98503

19 A lawsuit has been started against you in the above-entitled court by the plaintiff.  
20 Plaintiff's claims are stated in the written complaint, a copy of which is served upon you with this  
summons.

21 In order to defend against this lawsuit, you must respond to the complaint by stating your  
22 defense in writing, and serve a copy upon the undersigned attorney for the plaintiff within 20 days  
23 after the service of this summons, excluding the day of service, if served within the State of  
24 Washington, or within 60 days after service of this summons upon you, excluding the day of  
service if served out of the State of Washington, or a default judgment may be entered against you  
without notice. A default judgment is one where the plaintiff is entitled to what is asked for

25 SUMMONS

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STRONG | LAW  
32001 32nd Ave. S., Suite 400  
Federal Way, Washington 98001  
Tel: (206) 741-1051 • Fax: (206) 741-1052

1 because you have not responded. If you serve a notice of appearance on the undersigned attorney,  
2 you are entitled to notice before a default judgment may be entered.

3 You may demand that the plaintiff file this lawsuit with the Court. If you do so, the demand  
4 must be in writing and must be served upon the plaintiff. Within 14 days after you serve the  
demand, the plaintiff must file this lawsuit with the Court, or the service on you of this summons  
and complaint will be void.

5 If you wish to seek the advice of an attorney in this matter, you should do so promptly so  
6 that your written responses, if any, may be served on time. This summons is issued pursuant to  
Rule 4 of the Superior Court Civil Rules of the State of Washington.

7  
8 SIGNE and DATED this 23rd day of June 2020.

9 **STRONG LAW**

10 /s/ Jedediah J. Strong  
JEDEDIAH J. STRONG, WSBA No. 53511  
Jed@StrongLawAttorneys.com  
11 *Attorneys for Plaintiff*

12 STRONG LAW  
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25 SUMMONS

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6 SUPERIOR COURT OF WASHINGTON

7 IN AND FOR THURSTON COUNTY

8 BROOKE MARTIN,

No. 20-2-01632-34

9 Plaintiff,

COMPLAINT

10 v.

11 A PLUS SERVICES; MR. DO RIGHT  
12 CONSTRUCTION, LLC; ZENIN  
13 GERHING; DOES I-V; and ROES  
14 CORPORATIONS VI-X; inclusive;

Defendants.

15  
16 COMES NOW Plaintiff Brooke Martin, by and through counsel, and complains against  
17 Defendants as follows:

18 I. PARTIES, JURISDICTION & VENUE

19 1. Plaintiff Brooke Martin ("Ms. Martin" or "Plaintiff") is now, and was at all times  
20 material hereto, a resident of Kitsap County, Washington.

21 2. Upon information and belief, Defendant A Plus Services is a dba of Defendant Mr.  
22 Do Right Construction, LLC (collectively "A Plus") which is a company with its principal place  
23 of business in Thurston County, Washington.

24  
25 COMPLAINT

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3. Upon information and belief, Defendant Zenin Gerhing ("Defendant Gerhing") is a resident of Kitsap County, Washington.

4. DOES I-V and ROES CORPORATIONS VI-X are individuals and corporations currently unknown but which may be added upon discovery.

5. The acts committed herein occurred in Kitsap County, Washington.

## II. STATEMENT OF FACTS

6. On or about March 27, 2020, Ms. Martin was a passenger in a vehicle being driven by Defendant Gerhing.

7. Defendant Gerhing lost control of the vehicle and drove it off the road, causing the vehicle to roll.

8. Ms. Martin was seriously injured.

9. Plaintiff did nothing to negligently contribute to causing accident.

10. Upon information and belief, Defendant Gerhing was under the influence of drugs at the time of the accident.

11. Defendant Gerhing was an employee of Defendant A Plus.

12. Upon information and belief, Defendant A Plus allowed Defendant Gerhing to operate a vehicle owned by Defendant A Plus.

13. Defendant Gerhing was operating Defendant A Plus's vehicle at all relevant times herein.

14. Defendant Gerhing has a criminal history including substance dependency and vehicular assault.

15. Defendant A Plus knew, or should have known, that Defendant Gerhing had a criminal history including substance dependency and vehicular assault.

1           16. Defendant A Plus knew, or should have known, that Defendant Gerhing was likely  
2 to operate the vehicle in an unsafe manner and/or act recklessly while operating the vehicle.

3                           **III. FIRST CAUSE OF ACTION**  
4                           **(Negligence – Defendant Gerhing)**

5           17. Plaintiff realleges the preceding paragraphs as if fully alleged herein.

6           18. Defendant Gerhing's actions constituted a breach of multiple duties of care  
7 including, but not limited to, his duty to exercise reasonable care, maintain reasonable control of  
8 his vehicle, adhere to driving regulations, and to avoid putting others in danger.

9           19. Defendant Gerhing is liable for these acts of negligence and for such other acts of  
10 negligence as may become apparent during the course of discovery in this case.

11           20. As a direct and proximate cause of Defendant Gerhing's negligence, Plaintiff  
12 suffered personal injuries.

13           21. As a direct and proximate cause of Defendant Gerhing's negligence, Plaintiff has  
14 suffered physical pain.

15           22. Plaintiff's injuries have caused a substantial decrease in the quality of Plaintiff's  
16 daily life.

17           23. Plaintiff has incurred and will incur economic and non-economic damages of a  
18 nature and amount that will be proven at trial.

19                           **IV. SECOND CAUSE OF ACTION**  
20                           **(Negligent Entrustment – Defendant A Plus)**

21           24. Plaintiff realleges the preceding paragraphs as if fully alleged herein.

22           25. Defendant A Plus knew, or should have known, that Defendant Gerhing was  
23 reckless, heedless, or incompetent.

24           26. Defendant A Plus knew, or should have known, that it was unreasonable to allow

1 Defendant Gerhing to operate the vehicle.

2 27. Defendant A Plus had a duty to not entrust Defendant Gerhing with the vehicle.

3 28. Defendant A Plus breached its duty by allowing Defendant Gerhing to operate the  
4 vehicle.

5 29. As a direct and proximate cause of Defendant A Plus's negligence, Plaintiff  
6 suffered personal injuries.

7 30. As a direct and proximate cause of Defendant A Plus's negligence, Plaintiff has  
8 suffered physical pain.

9 31. Plaintiff's injuries have caused a substantial decrease in the quality of Plaintiff's  
10 daily life.

11 32. Plaintiff has incurred and will incur economic and non-economic damages of a  
12 nature and amount that will be proven at trial.

13 **V. THIRD CAUSE OF ACTION**  
14 **(Negligent Hiring and Retention – Defendant A Plus)**

15 33. Plaintiff realleges the preceding paragraphs as if fully alleged herein.

16 34. Defendant A Plus hired Defendant Gerhing to work for Defendant A Plus.

17 35. Defendant A Plus knew, or should have known, that Defendant Gerhing was unfit  
18 for hiring.

19 36. Despite Defendant A Plus's knowledge, it hired Defendant Gerhing which provided  
20 Defendant Gerhing access to the vehicle.

21 37. As a direct and proximate cause of Defendant A Plus's negligent hiring of  
22 Defendant Gerhing, Plaintiff suffered personal injuries and physical pain.

23 38. Plaintiff's injuries have caused a substantial decrease in the quality of Plaintiff's  
24

1 daily life.

2 39. Plaintiff has incurred and will incur economic and non-economic damages of a  
3 nature and amount that will be proven at trial.

4 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 5 1. For general damages for pain and suffering in an amount to be proven at trial.  
6 2. For past and future medical expenses in an amount to be proven at trial.  
7 3. For attorney's fees and costs of suit herein.  
8 4. For interest pre and post judgment interest.  
9 5. For such other relief as may be deemed fair and equitable under the circumstances.

10 SIGNED and DATED this 23rd day of June 2020.

11 **STRONG LAW**

12 /s/ Jedediah J. Strong  
13 JEDEDIAH J. STRONG, WSBA No. 53511  
14 Jed@StrongLawAttorneys.com  
15 *Attorneys for Plaintiff*  
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